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THE SITUATION IN CENTRAL AMERICA:
PROCEDURES FOR THE ESTABLISHMENT
OF A FIRM AND LASTING PEACE AND
PROGRESS IN FASHIONING A REGION
OF PEACE, FREEDOM, DEMOCRACY AND
DEVELOPMENT

SECURITY COUNCIL
Fifty-second year

Identical letters dated 5 February 1997 from the Secretary-General addressed to the President of the General Assembly and to the President of the Security Council

I have the honour to transmit herewith the texts of the last two agreements pertaining to the Guatemala peace process, which were signed by the Peace Commission of the Government of Guatemala (COPAZ) and the General Command of the Unidad Revolucionaria Nacional Guatemalteca (URNG) under the auspices of the United Nations on 29 December 1996.

The Agreement on the Implementation, Compliance and Verification Timetable for the Peace Agreements (annex I) was signed by the parties at Guatemala City on 29 December 1996 in the presence of the United Nations Moderator, Mr. Jean Arnault. The Agreement is a detailed guide for the implementation of all the commitments undertaken by the parties in agreements signed since 1994. It sets out a calendar for the phased implementation of those commitments from 1997 to the end of 2000 and for the establishment of the Follow-up Commission to ensure that the process is carried out effectively. The Agreement also requests the Secretary-General to establish a mission to verify all the agreements, into which the current United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA) is to be absorbed.

The Agreement on a Firm and Lasting Peace (annex II) was signed in the National Palace of Guatemala City on 29 December 1996, in a formal ceremony

attended by President Alvaro Arzú, by the Heads of State of numerous nations and by my predecessor, Mr. Boutros Boutros-Ghali, who was, in addition, a signatory to the Agreement. The Agreement brings into effect all the previous agreements encompassing military, political, social, economic and environmental issues and binds them into a comprehensive nationwide agenda for peace. It is a milestone for Guatemala, where it ends 35 years of internal conflict, and for Central America, where it ends the last war in the region and thus completes the principal task which the Presidents of the region set themselves when they signed the Esquipulas II Agreement in 1987.

As requested by the General Assembly in its resolution 51/198 of 17 December 1996, I shall submit recommendations shortly to the Assembly on how the structure and staffing of the current MINUGUA should be redesigned to allow the new mission to fulfil the new responsibilities arising from the signing of the peace agreements.

I should be grateful if you could issue the text of the present letter as a document of the General Assembly, under agenda item 40, and of the Security Council.

(Signed) Kofi A. ANNAN

ANNEX I

[Original: Spanish]

Agreement on the Implementation, Compliance and Verification Timetable for the Peace Agreements

Whereas:

The negotiating process has resulted in a national agenda for overcoming the root causes of social, political, economic, ethnic and cultural conflict and also the consequences of the armed conflict,

The implementation of that agenda is a complex, long-term undertaking requiring the determination to fulfil the commitments made and the involvement of the different State bodies and of the country's various social and political forces,

This national undertaking calls for an implementation strategy that sets realistic priorities for gradual fulfilment of the various aspects of the Peace Agreements as and when the political, institutional, financial and technical bases for their implementation are established,

One political basis for the implementation process is the functioning of the various commissions set up under the Agreements, and of other bodies that will facilitate effective consultation and cooperation in building peace,

The Timetable set out in this Agreement provides a time-frame whose purpose is to make this national endeavour viable, as well as its follow-up by the international community, on the basis of a realistic approach and extensive consultation,

Implementation of the Agreements will be facilitated by the establishment of a follow-up mechanism and by international verification, with a view to achieving greater certainty, flexibility and confidence in the implementation process as a whole,

The execution of the Implementation, Compliance and Verification Timetable for the Peace Agreements should encourage all social and political forces to join together in an effort to open a new chapter of development and democratic coexistence in the history of the country,

The Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG) (hereinafter referred to as "the Parties") agree as follows:

I. PRESENTATION OF THE TIMETABLE

1. The implementation and verification timetable set out in this Agreement constitutes a guide for the phased implementation of those commitments set out in the Peace Agreements whose fulfilment can, at this point, be scheduled

reliably. The following four types of commitment are therefore not dealt with in the Timetable:

(a) General and/or ongoing commitments, such as the general commitments entered into under the Comprehensive Agreement on Human Rights;

(b) Specific commitments subject to constitutional amendments, whose implementation depends on the adoption of such amendments by the Congress of the Republic and on the subsequent referendum;

(c) Specific commitments whose fulfilment is subject to prior consultation, particularly those commitments whose fulfilment depends on the recommendations of the joint commissions and other commissions set up under the Peace Agreements; and

(d) Specific commitments whose fulfilment depends on the completion of other types of scheduled action.

2. The Follow-up Commission established under this Agreement shall determine the subsequent timetable for fulfilling the commitments referred to under subparagraphs (b), (c) and (d) above and shall, where necessary, reschedule the commitments set out in this Timetable, in order to ensure the proper implementation of the Peace Agreements.

Strategy

3. The Timetable is divided into three phases: the first covers a 90-day period from 15 January 1997; the second lasts until the end of 1997; and the third covers 1998, 1999 and 2000. The implementation strategy for these three phases is guided by the following needs:

(a) To adhere to the timetables already laid down in the Agreements;

(b) To move ahead simultaneously with the implementation of all the Agreements;

(c) To take into account realistically the human and material resources available in each phase;

(d) To stagger implementation of the fundamental components of the Agreements, thereby seeking to avoid dissipating governmental and non-governmental implementation efforts;

(e) To place emphasis, at the beginning of the process of implementing the commitments, on the establishment of the consultation machinery provided for in the Agreements, where provision has been made for such machinery, and on the institutional, legal or financial basis for the implementation of the commitments in question;

(f) To promote the effective participation of all social sectors in meeting their needs, particularly in establishing public policies concerning them, and accordingly, to set timetables for those actions that depend on the

consensus-building mechanisms provided for in the Agreements, taking into account their outcome; and

(g) In view of the key role which the raising of fiscal revenues and the priority channelling of public spending towards social investment are to play in the implementation of the commitments laid down in the Peace Agreements, the Parties have agreed to set out in an appendix the programming of intermediate annual targets, in relation to gross domestic product (GDP), for increasing the tax burden, increasing public spending on education, health, public security and the justice system, and reducing defence spending in future years. Indicative targets for economic growth for the period 1997-2000 are also set out in the appendix.

Content of the phases

4. Based on the above, the main, but not sole, emphasis in each phase shall be on the following:

(a) The timetable for the first 90 days shall place emphasis on:

(i) Preparing for the implementation of medium- and long-term agreements, particularly by setting up the commissions provided for in the Agreements and by developing and introducing programmes of action in various areas covered by the Agreements;

(ii) Carrying out short-term action for which timetables are laid down in the Peace Agreements, particularly the ceasefire process and the process of integrating URNG. The action scheduled on the basis of D-Day is subject to the existence of the necessary conditions for launching the ceasefire process; and

(iii) Carrying out other types of action linked to the consequences of the armed conflict, such as developing the programme for compensating victims and continuing to care for refugees and displaced persons;

(b) The timetable for the remainder of 1997 includes, in addition to the emphasis to be given under subparagraph (a) above, the following:

(i) New programmes of action, social investment and investment in production;

(ii) Modernization and decentralization of the State;

(iii) Public administration reform;

(iv) Comprehensive strategy for rural development;

(v) Fiscal policy; and

(vi) Restructuring of domestic security policy and national defence policy.

(c) In addition to the components referred to under subparagraphs (a) and (b), the timetable for 1998, 1999 and 2000 shall cover action relating to the results of the joint commissions and other commissions provided for by the Agreements. In particular, it shall promote the legislative agenda arising out of the Peace Agreements in four areas: reform of the Penal Code and legal framework for modernizing the administration of justice; issues of land tenure and land use; adaptation of legislation and institutions to the multi-ethnic, multicultural and multilingual nature of Guatemala; and reform of the Guatemalan electoral regime.

5. The Follow-up Commission shall schedule measures resulting from constitutional amendments, once the amendments in question have been adopted.

Implementation of the Timetable

6. With a view to implementing the Timetable, the Parties have divided the commitments set out in the Agreements into four thematic areas:

(a) Resettlement, integration of URNG and national reconciliation;

(b) Comprehensive human development;

(c) Sustainable development of production; and

(d) Modernization of the democratic State, including strengthening of the capacity for participation and consensus-building of the various components of civil society.

7. The corresponding programmes, subprogrammes and projects shall be grouped under each area. The Government has decided that the Peace Secretariat shall be responsible for the technical coordination of its action with a view to implementation in the areas in question.

8. Reiterating that the implementation of the Peace Agreements must enable all the country's social and political forces to undertake in a cooperative and responsible spirit the immediate tasks of fighting poverty, discrimination and privilege, the Government has undertaken to promote such action with the effective participation of all social sectors.

9. The Parties call on the various sectors of Guatemalan society to take a leading role in implementing the development agenda set out in the Agreements. They also call on the international community to continue to support national efforts, particularly during the initial phases of the implementation process, while Guatemala is building its own capacities in the areas of human, institutional and financial resources.

II. TIMETABLE FOR THE 90 DAYS FROM 15 JANUARY 1997

A. Comprehensive Agreement on Human Rights

Compensation for and/or assistance to victims of human rights violations

10. Establish the State body responsible for public policy regarding compensation for and/or assistance to victims of human rights violations, and present a compensation programme.

B. Agreement on Resettlement of the Population Groups Uprooted by the Armed Conflict

Documentation

11. Sponsor in the Congress of the Republic the necessary amendments to the Act on the Personal Documentation of the Population Uprooted by the Internal Armed Conflict (Decree 73-95). Such amendments, in addition to solving the documentation problems of uprooted population groups, shall resolve the lack of personal documentation of URNG members. The Congress of the Republic shall be asked to consider and resolve this issue in the two months following the introduction of the corresponding initiative.

Identification of land for the resettlement of uprooted persons

12. Present existing studies concerning State, municipal and private land with an option to buy (location, legal regime, acquisition, size, boundaries and agricultural suitability), for the purpose of resettling uprooted population groups.

Mine clearance

13. Implement a programme for clearing all types of mines, bearing in mind that both the Guatemalan armed forces and URNG are to provide the United Nations with detailed information on explosives, mines and existing minefields.

Fund for the Resettlement of Uprooted Population Groups

14. Establish a fund for the implementation of the Agreement on Resettlement of the Population Groups Uprooted by the Armed Conflict.

Plan for the education of uprooted population groups

15. Request the United Nations Educational, Scientific and Cultural Organization (UNESCO) to submit a specific plan for the education of uprooted population groups.

Resettlement of uprooted population groups

16. Speed up the ongoing negotiations between the Government, refugees and displaced persons to ensure the voluntary return of uprooted persons to their place of origin, or to a location of their choice, in dignity and safely.

C. Agreement on the Establishment of the Commission to Clarify Past Human Rights Violations and Acts of Violence that have Caused the Guatemalan Population to Suffer

Clarification Commission

17. The members of the Commission shall be appointed and shall set the date on which it is to be established and to begin functioning. The Commission shall complete its work within six months of its establishment, but that period may be extended by a further six months, if the Commission so decides.

D. Agreement on identity and rights of indigenous peoples

Official Recognition Commission

18. Set up the Commission for the Official Recognition of Indigenous Languages, with the participation of representatives of linguistic communities and the Academy of Mayan Languages of Guatemala, which shall study arrangements for granting official recognition, taking account of linguistic and territorial criteria.

Commission on Holy Places

19. Establish the Commission on Holy Places, made up of representatives of the Government and indigenous organizations and of indigenous spiritual guides, to identify such places and lay down rules for their preservation.

Joint Commission on Education Reform

20. Establish the Joint Commission on Education Reform, comprising representatives of the Government and of indigenous organizations, to design educational reforms consistent with Guatemala's cultural and ethnic diversity.

E. Agreement on Social and Economic Aspects and the Agrarian Situation

Review of labour legislation

21. Submit a report on legal and regulatory changes introduced in 1996 to enforce labour laws and severely penalize violations, including violations of the minimum wage; non-payment, withholding and delaying of wages; occupational hygiene and safety; and the work environment, as well as legal and regulatory changes that need to be promoted in 1997.

Expansion of the National Agricultural Development Council

22. Strengthen and expand the participation of small farmers' organizations, rural women, indigenous organizations, cooperatives, producers' associations and non-governmental organizations in the National Agricultural Development Council (CONADEA), as the main mechanism for consultation, coordination and participation in the decision-making process for rural development.

Land Office

23. Set in motion the Presidential Office for Legal Assistance and Dispute Settlement in Land Matters, with nationwide coverage and the task of providing advice and legal assistance to small farmers and agricultural workers with a view to the full exercise of their rights.

Land registry information

24. Launch the land surveying process in pilot areas.

Civic education programme

25. Present a national civic education programme for democracy and peace that promotes the protection of human rights, the renewal of political culture and the peaceful resolution of conflicts.

Rural development investment programme for the period 1997-1999

26. Develop and present a rural development investment programme, with emphasis on basic infrastructure (main roads, rural roads, electricity, telecommunications, water and environmental sanitation) and production projects, for a total of 300 million quetzales in 1997.

Legislation and strengthening of tax administration

27. Submit a report on: (a) amendments made to the Tax Code and other legislation in 1996 to eliminate loopholes and establish harsher penalties for tax evasion, avoidance and fraud; (b) steps taken to ensure the correct and prompt application of or reimbursement of the tax credit and to punish severely those who do not return withheld value-added tax to the tax authorities; and (c) any additional measures that may be deemed necessary.

28. Promote and present initiatives to strengthen institutional mechanisms for revenue collection and auditing.

Women's forum

29. Promote the convening of a women's forum on the commitments concerning women's rights and participation set out in the Peace Agreements.

F. Agreement on the Strengthening of Civilian Power and on the Role of the Armed Forces in a Democratic Society

Multi-party legislative body

30. Request the Office of the President of the Congress of the Republic to set up a multi-party body to enhance, modernize and strengthen the legislative branch, in accordance with the agenda set out in the Agreement.

Commission on the Strengthening of the Justice System

31. The President of Guatemala shall sponsor the establishment of the Commission on the Strengthening of the Justice System, with the mandate to prepare within six months, following an extensive debate on the justice system, a report and a set of recommendations that can be implemented as soon as possible, in accordance with the agenda proposed in the Agreement.

National Civil Police

32. Sponsor and introduce the legislative proposal regulating the functioning of the new National Civil Police.

Police Academy

33. Stipulate that members of the new police force shall receive training at the Police Academy, where they shall be given extensive professional preparation and imbued with a culture of peace, respect for human rights and democracy, and obedience to the law.

Demobilization of the Voluntary Civil Defence Committees

34. Conclude the demobilization and disarming of the Voluntary Civil Defence Committees within 30 days of the repeal of the decree creating them.

G. Agreement on Constitutional Reforms and the Electoral Regime

Constitutional reforms

35. The Government of the Republic shall place before the Congress of the Republic the draft constitutional amendments contained in sections A and B of the Agreement on Constitutional Reforms and the Electoral Regime.

Electoral Reform Commission

36. Request the Supreme Electoral Tribunal to establish and preside over an Electoral Reform Commission charged with publishing a report and making a series of recommendations on electoral reform and the corresponding legislative amendments. It is recommended that the Commission be constituted no later than three months after the signing of the Agreement on a Firm and Lasting Peace, with the representatives indicated in the Agreement. Moreover, it is

recommended that the Commission complete its work no later than six months from the date of its establishment.

H. Agreement on the Definitive Ceasefire

Entry into force

37. The ceasefire shall enter into force as of 0000 hours on D-Day, the date on which the United Nations verification mechanism shall be in place with full operational capacity. This phase must be completed by no later than D+60, with the demobilization of URNG.

38. The Parties undertake to maintain the current cessation of offensive military activity by URNG and of counter-insurgent military activities by the Guatemalan armed forces until D-Day.

39. The United Nations shall notify the Parties of the establishment of the verification mechanism as soon as possible, so that D-Day may be set.

Deployment of the verification mechanism

40. From D-10 to D-Day the United Nations shall deploy its personnel and equipment in order to verify the ceasefire at the sites determined by the Parties in the annexes to the Agreement on the Definitive Ceasefire.

Verification sites

41. For purposes of verification, during the period of the ceasefire, representatives of the United Nations shall be present in the military units of the Guatemalan armed forces designated in annex C and at the URNG assembly points specified in annex A to the Agreement on the Definitive Ceasefire.

Ban on political propaganda

42. During troop movements and once at the assembly points, the assembled forces may not engage in any propaganda or political activities beyond the assembly points.

Security zone

43. A security zone with a radius of 6 kilometres shall be established around each assembly point in which no units of the Guatemalan armed forces, Voluntary Civil Defence Committees (CVDCs) or members of URNG may be present.

44. Only United Nations verification units may have access to these zones. Police activities may be carried out subject to coordination with the United Nations verification authority.

Coordination zone

45. A coordination zone extending a further 6 kilometres shall be established around each security zone. Movement by military units of the Guatemalan armed forces and CVDCs must be coordinated in advance with the United Nations verification authority.

Information concerning troops and armaments

46. URNG shall provide the United Nations with detailed information on the number of troops, list of names, inventories of weapons, explosives and mines, and all other necessary information concerning the existence of minefields, munitions and other military equipment, both in their possession and in storage. The Guatemalan armed forces shall likewise provide updated information on the number of troops in the units to be redeployed which are identified in annex C to the Agreement on the Definitive Ceasefire. Both Parties shall transmit this information to the verification authority no later than D+15.

47. The Parties agree to transmit to the verification authority within the time agreed with both of them any additional information required by the authority.

Start of redeployment

48. Redeployment of the units of the Guatemalan armed forces designated in annex C to the Agreement on the Definitive Ceasefire shall begin on D+2 and shall continue until D+10, or earlier, if possible.

49. URNG troops shall begin to move towards the assembly points designated in annex A to the Agreement on the Definitive Ceasefire from D+11 to D+21, or earlier, if possible. They shall be accompanied in this move by the verification mission.

50. The Parties shall communicate to the United Nations verification authority no later than D-10 the full programme for the moves of their respective forces (composition, route to be taken, when the move is to begin and any other information needed to complete the verification).

Restriction of airspace

51. This shall enter into force on D-Day; utilization of airspace shall remain restricted as follows:

(a) Military flights over security zones shall be prohibited except in the event of a disaster or public emergency, in which case advance notice of such flights shall be given to the United Nations verification authority;

(b) Military flights over coordination zones shall be permitted with advance notification to the United Nations verification mission.

Control of armaments

52. From D+11 to D+42 in URNG assembly points, weapons, munitions and other military equipment shall be deposited in special warehouses designated by the United Nations; combatants, however, shall keep their personal equipment and weapons as long as they remain in those locations.

Operational aspects

53. The phased demobilization of URNG combatants and their integration, within a framework of legality, into the civil, political, socio-economic and institutional life of the country shall take place in accordance with the provisions of the Agreement on the Basis for the Legal Integration of URNG and subject to the implementation of the Agreement on the Implementation, Compliance and Verification Timetable for the Peace Agreements. The demobilization shall be carried out as follows:

(a) From D+43 to D+48: 33 per cent;

(b) From D+49 to D+54: 66 per cent;

(c) From D+55 to D+60: 100 per cent.

Logistical support commission

54. A commission made up of representatives of URNG and of the Government of Guatemala shall be established, under the coordination of the United Nations, in order to provide logistical support to the ceasefire and demobilization process. The number of members of the Commission shall be determined in accordance with needs.

Handing over of weapons and munitions

55. Prior to the demobilization of the last group of combatants, and by D+60 at the latest, URNG shall hand over to the United Nations all weapons and military equipment of its forces, whether in its possession or in storage.

Start of verification

56. Verification shall start on D-Day when the ceasefire comes into effect, in accordance with the provisions of the Agreement on the Definitive Ceasefire, without thereby restricting fulfilment by the Guatemalan armed forces of their constitutional function in the rest of the national territory.

Coordination and follow-up

57. For the purposes of coordination and follow-up, the Parties undertake to designate officials, at different levels, to liaise with the verification authority.

I. Agreement on the Basis for the Legal Integration of the Unidad Revolucionaria Nacional Guatemalteca

Initial integration phase

58. The demobilization stage shall last two months and means the ending of URNG military structures at the agreed assembly points. This stage shall include services such as the provision of temporary documentation and vocational training and guidance, with a view to facilitating the subsequent integration of demobilized combatants. The verification authority shall transmit to the Special Integration Commission no later than D+30 a definitive list of demobilized combatants drawn up at assembly points.

59. URNG shall transmit to the verification authority by D-15 at the latest a list of members not subject to assembly who are to be beneficiaries of the initial integration phase. The authority shall, in turn, transmit such list to the Special Integration Commission once it has been set up.

Temporary documentation

60. Request the verification authority to issue temporary documentation for demobilized combatants and other beneficiaries of the Agreement on the Basis for the Legal Integration of URNG.

Security of URNG

61. The Government undertakes to adopt administrative measures to guarantee the necessary conditions for the effective exercise of the civil rights of URNG members, particularly the rights to life, security and physical integrity, and shall pay special attention to any complaints regarding violations of the security of URNG members. Respect for this undertaking shall be subject to special verification by the international verification authority, which may arrange for URNG members to be accompanied temporarily when the need arises.

Vocational guidance and training

62. URNG members shall receive vocational guidance and assistance during the demobilization phase, and subsequently if necessary. Once agreement is reached on the kind of economic activity in which they are to engage, they shall be eligible for specific programmes of technical and vocational training.

Health

63. In the demobilization phase, ensure that combatants gathered at assembly points receive a medical check-up. The necessary action shall be taken to treat cases identified by the check-up, either in the camps or locally. The Special Integration Commission shall ensure that patients who require further treatment are referred to the corresponding services. This subprogramme shall be carried out in cooperation and consultation with the URNG medical team.

Legal assistance

64. Begin the provision of legal assistance to UNRG members to help them deal with the legal aspects of their integration.

Family reunification

65. Initiate the necessary measures to enable URNG members to be reunited with their families. The Government undertakes to extend all necessary facilities to that end.

Special Integration Commission

66. Set up the Special Integration Commission, which shall consist of an equal number of representatives from the Government and URNG and, in a consultative capacity, representatives from donor and cooperating countries and international cooperation agencies. The Commission shall be set up within 15 days following the signing of the Agreement on a Firm and Lasting Peace, and the Government shall issue the corresponding government decree to that effect.

Rules of the Special Integration Commission

67. The Special Commission shall, by means of specific rules to be adopted no later than 30 days after it is set up, organize its responsibilities in the areas of coordination, financial management and decision-making with respect to subprogrammes and projects deriving from the Agreement on the Basis for the Legal Integration of URNG. The Special Commission shall likewise identify, in consultation with donor and cooperating countries and agencies, appropriate financial mechanisms, including the possibility of trust funds, to facilitate the flexible and effective implementation of the integration programme.

Integration Foundation

68. URNG undertakes to set up the Integration Foundation. The Government undertakes to expedite the procedures for setting up the Foundation.

J. Other commitments

Publicity

69. Publicize the Peace Agreements as widely as possible.

III. TIMETABLE FROM 15 APRIL TO 31 DECEMBER 1997

A. Comprehensive Agreement on Human Rights

Compensation

70. Put into effect the programme of compensation for and/or assistance to victims of human rights violations and sponsor the relevant legislation, taking into account the recommendations of the Clarification Commission.

Military conscription

71. See "Agreement on the Strengthening of Civilian Power and on the Role of the Armed Forces in a Democratic Society", paragraph 129 of this Agreement.

Regulation of the bearing of arms

72. See "Agreement on the Strengthening of Civilian Power and on the Role of the Armed Forces in a Democratic Society", paragraphs 130 and 131 of this Agreement.

Strengthening of institutions for the protection of human rights

73. Support initiatives for improving the technical and material conditions available to the Counsel for Human Rights in carrying out his tasks of investigation, monitoring and follow-up to ensure the full enjoyment of human rights in Guatemala.

B. Agreement on Resettlement of the Population Groups Uprooted by the Armed Conflict

Identification of land for the resettlement of uprooted persons

74. Conduct further studies to identify State, municipal and private land with an option to buy, for the purpose of resettling uprooted population groups.

Resettlement

75. Conclude the planning and/or resolution of the processes of return and transfer for the resettlement of uprooted population groups, based on their freely expressed wishes and decisions.

Documentation

76. Step up the personal documentation process for all those who do not have such documentation, particularly uprooted population groups and URNG members, including formal registration of the children of uprooted persons and URNG members born abroad.

Productive integration of uprooted population groups

77. Undertake productive integration programmes, as part of a policy of sustainable development with equity, in resettlement areas and regions. See "Agreement on Social and Economic Aspects and the Agrarian Situation", paragraphs 102, 103 and 106 of this Agreement.

Prompt settlement of land disputes

78. See "Agreement on Social and Economic Aspects and the Agrarian Situation", paragraph 108 of this Agreement.

Consensus-building for development planning

79. See "Agreement on Social and Economic Aspects and the Agrarian Situation", paragraph 86 of this Agreement.

Implementation of the education plan

80. Recognize the formal and non-formal educational levels of uprooted persons and the non-formal studies of education and health outreach workers.

Strengthening of local governments and organizations

81. See "Agreement on Social and Economic Aspects and the Agrarian Situation", paragraph 167 of this Agreement.

C. Agreement on the Establishment of the Commission to Clarify Past Human Rights Violations and Acts of Violence that have Caused the Guatemalan Population to Suffer

Clarification Commission

82. Functioning of the Commission and a decision by it to either extend its mandate or deliver its report.

D. Agreement on Identity and Rights of Indigenous Peoples

Joint Commission on Reform and Participation

83. Set up the Joint Commission on Reform and Participation, composed of representatives of the Government and representatives of indigenous organizations.

Joint Commission on Land Rights

84. Set up the Joint Commission on Land Rights, composed of representatives of the Government and representatives of indigenous organizations.

Office for the Defence of Indigenous Women's Rights

85. Set up an Office for the Defence of Indigenous Women's Rights, with the participation of such women, to provide, inter alia, legal advisory services and social services.

E. Agreement on Social and Economic Aspects and the Agrarian Situation

System of urban and rural development councils to ensure public participation

86. In keeping with the Agreement on Resettlement of the Population Groups Uprooted by the Armed Conflict and the Agreement on Identity and Rights of Indigenous Peoples, the Government undertakes, as a matter of priority, to: (i) re-establish the local development councils; (ii) sponsor an amendment to the Urban and Rural Development Council Act to broaden the range of sectors participating in the departmental and regional development councils; and (iii) provide adequate funding for the council system, so as to promote public participation in identifying local priorities, the design of public programmes and projects and the integration of national urban and rural development policy.

Municipal training

87. Establish and implement, in cooperation with the National Association of Municipalities (ANAM), an ongoing municipal training programme that will serve as a framework for national efforts and international cooperation in this field.

Participation of women in economic and social development

88. Taking into account the results of the forum envisaged in paragraph 29 of this Agreement, follow up the commitments concerning women set out in the Peace Agreements.

Advisory Commission on Educational Reform

89. The Ministry of Education shall set up the Commission, which shall consist of participants in the educational process, including representatives of the Education Reform Commission set up pursuant to the Agreement on Identity and Rights of Indigenous Peoples.

Out-of-school education and training

90. Design and implement programmes of out-of-school education, training and technical training, as well as training programmes in communities and enterprises and, in rural areas, programmes to improve business management skills and enhance the skills, diversification and productivity of human resources.

Civic education

91. Design and produce the necessary materials for implementing the national civic education programme for democracy and peace that is to promote the protection of human rights, the renewal of political culture and the peaceful resolution of conflicts.

Programme of financial support for education

92. Develop and implement nationwide programmes of scholarships, study grants, economic assistance and other incentives to enable needy students to continue their education.

Training of teachers and administrators

93. Develop continuing education programmes for teachers and school administrators.

Support for the University of San Carlos

94. Provide to the University of San Carlos, in a timely manner, the funding which is its prerogative under a constitutional mandate.

Purchase of medicines

95. Study and apply purchasing methods that will ensure the quality and low cost of the more popular basic or generic drugs and transparency in their marketing.

Public spending on housing

96. Allocate to housing policy the equivalent of no less than 1.5 per cent of tax revenues from the General Budget of State Revenues and Expenditures for 1998, giving priority to subsidizing the demand for low-cost housing options and, to that end, strengthening the Guatemalan Housing Fund (FOGUAVI) and the Housing Subsidy Fund (FOSUVI).

Community participation in housing

97. Encourage the establishment and strengthening of community participation systems, such as cooperatives and self-managed and family businesses, to ensure that beneficiaries are able to participate in the execution of plans, the construction of housing and the provision of services.

Amendment of labour laws

98. Promote the legal and regulatory changes recommended in the report on labour laws requested in paragraph 21 of this Agreement.

Labour inspection

99. Decentralize and expand labour inspection services in order to strengthen the capacity to verify compliance with domestic labour norms and those deriving from the international labour conventions ratified by Guatemala.

Worker organization

100. Streamline the procedures for recognition of the legal personality of labour organizations and, for agricultural workers who are still hired through contractors, propose reforms to ensure the speedy and flexible legal recognition of forms of association that will permit negotiation of the terms of their hiring.

Economic policy

101. Encourage measures, in coordination with the various social sectors, to increase investment and productivity, within the framework of an overall strategy of growth with social stability and equity.

Government agricultural sector investment programme

102. Begin implementation of a government agricultural sector investment programme in production lines linked to agriculture, forestry and fisheries.

Rural development investment programme

103. Begin implementation of the rural development investment programme, paying special attention to areas where uprooted population groups are being resettled and areas where poverty is greatest, with emphasis on basic infrastructure (main roads, rural roads, electricity, telecommunications, water and environmental sanitation) and production projects, for a total of 300 million quetzales in 1997.

Land Trust Fund

104. Sponsor and introduce in the Congress of the Republic a bill setting up the Land Trust Fund. Such bill shall establish, inter alia, the Fund's aims, functions and funding and allocation mechanisms and the origin and future use of land. The Agreement on Social and Economic Aspects and the Agrarian Situation stipulates that the Land Trust Fund must begin operations by 1997 at the latest.

Trust

105. The Land Trust Fund shall set up a trust in a participating banking institution to provide credit and promote savings, preferably for micro-, small and medium-sized enterprises.

Credit and financial services

106. Promote conditions enabling small and medium-scale farmers to have access to credit, individually or in groups, on a financially sustainable basis. In

particular, with the support of the business sector and non-governmental development organizations, promote the strengthening of local savings and loan agencies, such as associations, cooperatives and the like, so that they can provide credit and financial services to small and medium-sized businesses efficiently and in accordance with local needs and conditions.

Agrarian and environmental jurisdiction

107. Promote the establishment of an agrarian and environmental jurisdiction within the judiciary, taking into account the provisions of the Agreement on Identity and Rights of Indigenous Peoples.

Prompt settlement of land disputes

108. Taking into account the commitments made in the Agreement on Resettlement of the Population Groups Uprooted by the Armed Conflict and the Agreement on Identity and Rights of Indigenous Peoples and the recommendations on the Joint Commission on Rights relating to Indigenous Peoples' Land, the Government undertakes to establish and apply flexible procedures for the settlement of disputes over land and other natural resources (in particular, direct settlement and conciliation). In addition, it shall establish procedures for defining formulas for compensation in the case of land disputes and claims in which farmers, small farmers and communities in a situation of extreme poverty have been or may be dispossessed for reasons not attributable to them. The uprooted population will require special attention in this connection.

Land registry

109. Sponsor legislative changes that will make it possible to establish an efficient decentralized multi-user land registry system that is financially sustainable, subject to compulsory updating and easy to update.

Land tax

110. Sponsor legislation and mechanisms for imposing, in consultation with municipalities, a land tax in rural areas in which it is easy for the municipalities to collect revenues. The tax, from which small properties shall be exempt, will help to discourage owners from leaving land unused or underused. It must not encourage deforestation of woodlands.

Tax administration

111. Strengthen existing auditing and collection mechanisms, such as cross-checking, tax identification numbers and tax credits for withholding of income tax and value-added tax.

112. Keep in operation a special programme targeting big taxpayers to make sure that they meet their tax obligations in full.

113. Evaluate and strictly regulate tax exemptions in order to eliminate abuse.

114. Put into operation administrative structures that are specifically geared to revenue collection and auditing programmes and to the application of the corresponding tax laws.

115. Simplify and automate tax administration operations.

Norms for the preparation and implementation of the budget

116. Starting in 1997, incorporate annually into the norms and guidelines for the preparation of the preliminary draft General Budget of State Revenues and Expenditures the priority that must be given to social spending, basic public services, physical infrastructure in support of production, the strengthening of human rights bodies and compliance with the Peace Agreements.

Professionalization and upgrading of public servants

117. Sponsor and introduce bills:

(a) Establishing a career civil service; and

(b) Ensuring genuine compliance with the Integrity and Accountability Act.

Oversight

118. Reform, strengthen and modernize the Comptroller's Office.

Modernization of the executive branch

119. Sponsor and introduce in the Congress of the Republic:

(a) Amendments to the Act governing the executive branch; and

(b) Amendments to the Purchasing and Procurement Act to promote the decentralization of government support services.

F. Agreement on the Strengthening of Civilian Power and on the Role of the Armed Forces in a Democratic Society

Judicial training

120. Strengthen the Judicial Training School and the training unit of the Public Prosecutor's Office as the main bodies for the selection and further training of judges, magistrates and prosecutors.

Public Defender's Office in Criminal Matters

121. Present to the Congress of the Republic the necessary legislative proposals for establishing the Public Defender's Office in Criminal Matters to provide legal assistance to those who cannot afford to retain their own counsel.

Advisory Council on Security

122. Set up the Advisory Council on Security.

Strategic Analysis Secretariat

123. Establish the Strategic Analysis Secretariat to inform and advise the President of the Republic, with a view to anticipating, preventing and resolving situations posing any kind of danger or threat to the democratic State.

Supervision of State intelligence bodies

124. Sponsor and introduce a law establishing procedures for the supervision of State intelligence bodies by a special commission of the legislative branch.

Civil Intelligence and Information Analysis Department of the Ministry of the Interior

125. Establish a Civil Intelligence and Information Analysis Department under the Ministry of the Interior, with responsibility for gathering information to combat organized crime and ordinary crime by the means and within the limits authorized by the legal system, subject to strict respect for human rights.

National Civil Police

126. Put forward the proposals and take the action necessary to establish a career police service.

127. Promote action and programmes to strengthen the Police Academy so that it can train new police personnel as officers, inspectors, commanders and superintendents and retrain existing personnel.

128. Define procedures for ensuring that admission to the police profession and advancement and specialization within it take place through the Police Academy.

Civic Service Act

129. Sponsor in the Congress of the Republic a Civic Service Act that will include military service and community service, based on the agreement reached by the joint working group which is currently considering the matter.

Possession and bearing of arms

130. Sponsor and introduce in the Congress of the Republic amendments to the Arms and Munitions Act.

Registers of arms and ammunition

131. Transfer to the Ministry of the Interior the registers which are currently with the Arms and Munitions Control Department of the Ministry of Defence.

Restructuring of the armed forces

132. Make the public educational, financial, health, commercial, assistance and insurance institutions, facilities and units corresponding to the needs and functions of the Guatemalan armed forces operate under the same conditions as other similar non-profit institutions. All graduates of the Adolfo V. Hall Institutes shall join the country's military reserves. Find an appropriate use for the television frequency assigned to the Guatemalan armed forces.

Disbanding of the Mobile Military Police

133. Disband and demobilize the Mobile Military Police.

Reorganization and deployment of military forces

134. Reorganize the deployment of military forces within the national territory, stationing them for purposes of national defence, border control and protection of Guatemala's maritime and territorial jurisdiction and airspace.

Reduction of the armed forces

135. Reduce the size of the Guatemalan armed forces by 33 per cent, based on current manning and equipment levels.

Reintegration of demobilized members of the armed forces

136. Put into effect programmes for the productive reintegration of any members of the armed forces who may be demobilized.

G. Agreement on the Basis for the Legal Integration of URNG

Integration programme

137. Implement the various aspects of the programme for the legal integration of URNG, including education, literacy training, housing, productive economic projects and family reunification.

IV. TIMETABLE FOR 1998, 1999 AND 2000

A. Agreement on Resettlement of the Population Groups Uprooted by the Armed Conflict

Protection of Guatemalan nationals outside the country

138. Strengthen the policy of ensuring protection for Guatemalan nationals outside the country, especially members of the uprooted population living abroad, and make the necessary arrangements with host countries to ensure that this population has stable immigrant status.

Marketing

139. See 'Agreement on Social and Economic Aspects and the Agrarian Situation', paragraph 167 of this Agreement.

B. Agreement on Identity and Rights of Indigenous Peoples

Use of indigenous languages and bilingual training

140. In keeping with the conclusions of the Commission for the Official Recognition of Indigenous Languages, promote the use of indigenous peoples' languages in the provision of State social services at the community level and promote the bilingual training of judges and court interpreters from and into indigenous languages.

Temples, ceremonial centres and holy places

141. In keeping with the conclusions of the Commission on Holy Places, promote with the participation of indigenous peoples the necessary legal measures to ensure the restructuring of State entities responsible for the preservation and administration of temples and ceremonial centres of archaeological value, as well as changes in the regulations for the protection of ceremonial centres of archaeological value, in order to ensure respect for Mayan spirituality.

Radio Communications Act

142. Sponsor and introduce in the Congress of the Republic amendments to the Radio Communications Act making frequencies available for indigenous projects.

Customary law

143. With the participation of indigenous organizations and taking into account the conclusions of the Joint Commission on Reform and Participation and the Joint Commission on Rights relating to Indigenous Peoples' Land, sponsor in the Congress of the Republic the necessary action to fulfil the commitments made in section E of the Agreement on Identity and Rights of Indigenous Peoples.

C. Agreement on Social and Economic Aspects and the Agrarian Situation

Public spending on education

144. By the year 2000, increase public spending on education as a proportion of the gross domestic product (GDP) by 50 per cent over the 1995 level.

Schooling

145. By the year 2000, provide access for all those between the ages of 7 and 12 to at least three years of schooling.

Literacy training

146. Raise the literacy rate to 70 per cent by the year 2000.

Educational curricula

147. By the year 2000, adjust educational curricula in accordance with the education reform.

Occupational training

148. Ensure that occupational training programmes reach at least 200,000 workers nationwide by the year 2000, with emphasis on those entering economic activity and those needing special training in order to adjust to new developments in the labour market.

Civic education

149. Implement the national civic education programme for democracy and peace that is to promote the protection of human rights, the renewal of political culture and the peaceful resolution of conflicts.

Public spending on health

150. By the year 2000, increase public spending on health as a proportion of GDP by 50 per cent over the 1995 level and allocate at least 50 per cent of public health spending to preventive health care.

Infant and maternal mortality

151. By the year 2000, reduce infant and maternal mortality to 50 per cent of the 1995 rate.

Eradication of poliomyelitis and measles

152. Maintain the certification of poliomyelitis eradication and eradicate measles by the year 2000.

Decentralization of health services

153. Put into effect the decentralized organization of the various levels of health care to ensure that health programmes and services are offered at the communal, regional and national levels, which are the basis of the national coordinated health system.

Social security

154. Take the necessary measures to expand the coverage of the social security system and improve its benefits and the quality and efficiency of its services.

Land management

155. Closely coordinate housing policy with land management policy, especially urban planning and environmental protection policies, to enable poor people to have access to housing with services in hygienic and environmentally sustainable conditions.

Public spending on housing

156. Allocate annually to the housing promotion policy no less than 1.5 per cent of tax revenues from the General Budget of State Revenues and Expenditures, giving priority to subsidizing the demand for low-cost housing options.

Financing and facilities for the purchase of housing

157. Strengthen the securities market for the purchase of housing, including the provision of first and second mortgages, facilitate the sale of securities issued for housing operations, including common and preferential stock in property development companies, mortgage bonds and debentures, certificates of real estate shareholdings, supplemental letters, promissory notes and other documents related to rentals with an option to buy.

Housing stock

158. Encourage the supply of housing-related services, housing options and building materials that are of good quality and reasonably priced.

Regulation

159. Apply anti-trust regulations to the production and marketing of building materials and services. Update the health and safety regulations applicable to the construction industry and monitor compliance with them; coordinate with municipalities to ensure that construction and monitoring regulations are homogeneous, clear and simple, in an effort to ensure good-quality, safe housing.

Protection of rural workers

160. Adopt administrative and/or criminal penalties against those responsible for abuses against migrant agricultural workers, farmhands, tenant farmers and day labourers in the context of hiring through middlemen, sharecropping, payment in kind and the use of weights and measures.

Occupational training

161. Sponsor and introduce a bill regulating occupational training at the national level.

Land tenure

162. Sponsor and introduce in the Congress of the Republic a bill establishing a legal framework for land tenure that is secure, simple and accessible to the entire population.

Modernization of the land registry system

163. Have launched the efficient decentralized multi-user land registry system that is financially sustainable, subject to compulsory updating and easy to update.

Regularization of the award of title to land

164. Regularize the award of tile for lands belonging to indigenous communities and uprooted population groups and for beneficiaries of the National Institute for Agrarian Reform (INTA) who are the lawful owners of the land which they have been granted. With respect to communal land, regulate participation by the communities concerned to ensure that it is they who take the decisions concerning their land.

Unused land

165. Sponsor amendments to the legislation on unused land to bring it into line with the Constitution, and regulate by means of incentives and penalties the underuse of land and its use in a manner incompatible with sustainable natural resources use and environmental conservation. Such amendments should include a new tax scale for the annual tax on unused land, imposing significantly higher taxes on privately owned unused and/or underused land.

Evaluation of awards made by the Land Trust Fund

166. In 1999, evaluate whether awards made by the Land Trust Fund have achieved their objectives and, if necessary, change the way in which the programme operates.

Rural development

167. Develop a system for compiling, systematizing and disseminating agricultural, forestry, agro-industrial and fisheries information and a system of storage centres and free zones. Support the strengthening of the various forms of organization of micro-, small and medium-scale agricultural and rural enterprises and encourage the amalgamation of smallholdings if smallholders so desire.

Natural resources management concessions

168. By 1999, have awarded to small and medium-sized farmers' groups, legally incorporated as natural resources management concessions, 100,000 hectares within multi-use areas for the purposes of sustainable forest management, management of protected areas, ecotourism, protection of water sources and other

activities compatible with the sustainable potential use of the natural resources of those areas.

Government agricultural sector investment programme

169. Implement the government agricultural sector investment programme in production lines linked to agriculture, forestry and fisheries, for a cumulative total of 200 million quetzales.

Renewable natural resources management programme

170. Promote a renewable natural resources management programme which fosters sustainable forestry and agroforestry production, as well as handicrafts, ecotourism and small- and medium-scale industrial projects that give added value to forestry products.

Rural development investment programme

171. Continue the rural development investment programme, with emphasis on basic infrastructure (main roads, rural roads, electricity, telecommunications, water and environmental sanitation) and production projects, for a total of 300 million quetzales per year.

Tax system

172. Design and present a methodology for evaluating whether the tax system is universally progressive, in line with the basic principles established in the Agreement on Social and Economic Aspects and the Agrarian Situation.

Tax burden

173. Take the necessary action and put forward the necessary proposals to ensure that, by the year 2000, the tax burden as a proportion of GDP is at least 50 per cent greater than in 1995.

Decentralization of public administration

174. Sponsor and introduce in the Congress of the Republic amendments to the Act on the Governance of the Departments of the Republic making it possible to streamline and decentralize public administration, and propose that departmental governors be appointed by the President of the Republic, taking into consideration candidates proposed by the non-governmental representatives of departmental development councils.

Modernization of public administration

175. Decentralize support systems, including the purchasing and procurement system, the human resources system, the information and statistics system, the financial management system and the revenue collection system.

Municipal Code

176. Sponsor amendments to the Municipal Code to encourage the participatic indigenous communities in decision-making on matters affecting them and to stipulate that deputy mayors be appointed by the municipal mayor, taking int account the proposals made by local residents in open town council meetings.

D. Agreement on the Strengthening of Civilian Power and on the Role of the Armed Forces in a Democratic Society

Penal Code

177. In accordance with the conclusions of the Commission on the Strengthening of the Justice System, sponsor and introduce in the Congress of the Republic amendments to the Penal Code that will:

(a) Characterize ethnic discrimination as a crime;

(b) Characterize sexual harassment as a crime;

(c) Bring the Penal Code into line with the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination; and

(d) Give priority to the criminal prosecution of those offences which are most detrimental to society; take into account the country's cultural differences and customs; fully protect human rights; and characterize threats and coercion against judicial personnel, bribery, graft and corruption as particularly serious offences which must be severely punished.

Participation of women

178. Evaluate the progress made in women's participation and, on this basis, draw up the corresponding plan of action.

Public spending on the justice system

179. By the year 2000, increase public spending on the judiciary and the Public Prosecutor's Office as a proportion of GDP by 50 per cent over the 1995 level.

180. Allocate the necessary resources to enable the Public Defender's Office in Criminal Matters to be established and begin operations in 1998.

Public Order Act

181. Sponsor and introduce a proposal for a new Public Order Act that is consistent with democratic principles and the strengthening of civilian power.

Archives

182. Sponsor and introduce legislative proposals for characterizing the crime of maintaining illegal files and records containing political information on residents of Guatemala.

Private security companies

183. Sponsor and introduce a bill regulating the functioning and scope of private security companies, with a view to monitoring their activities and the professionalism of their personnel, and ensure, in particular, that such companies and their employees limit their operations to their own sphere of activity, under the strict control of the National Civil Police.

National Civil Police

184. By late 1999, have the National Civil Police functioning throughout the national territory, with a force of at least 20,000 members.

Public security

185. By the year 2000, have increased public spending on public security as a proportion of GDP by 50 per cent over the 1995 level.

Act establishing the armed forces

186. Sponsor and introduce amendments to the Act establishing the Guatemalan armed forces, as and when the proposed constitutional amendments take effect, in order to bring it into line with the content of the Peace Agreements.

Armed forces budget

187. Redirect and reallocate the budget of the Guatemalan armed forces to the constitutional functions and military doctrine referred to in this Agreement, making optimum use of available resources in order to achieve, by 1999, a 33 per cent reduction in military spending as a proportion of GDP over the 1995 level.

E. Agreement on the Basis for the Legal Integration of URNG

Definitive integration phase

188. One year after D+60, beneficiaries shall become eligible for longer-term services provided by the Government, including financial, legal and employment assistance, training and production projects, with a view to ensuring their lasting integration into the economic, social and cultural life of the country on the same terms as the rest of the Guatemalan population. Additional specific projects for URNG members shall be the responsibility of the Integration Foundation. The Parties call on international cooperation to provide technical and financial support to ensure the success of the definitive integration phase.

V. FOLLOW-UP COMMISSION

Definition

189. The Commission to Follow up the Implementation of the Peace Agreements is the political and technical body that acts as a reference for the Peace Secretariat.

Composition

190. The Follow-up Commission shall be composed as follows:

(a) An equal number of representatives from each of the Parties to the peace negotiations;

(b) Four citizens from different sectors of the population, who shall be invited to join the Commission by mutual agreement of the Parties to the peace negotiations;

(c) The Congress of the Republic shall be asked to designate one of its members to represent it on the Commission;

(d) The head of the international verification mission, who shall have the right to speak but not to vote.

191. The Commission shall be constituted in January 1997.

Objective

192. To participate and be involved in the implementation of the Peace Agreements, so as to ensure that the process is effective and that the commitments made are properly fulfilled.

Functions

193. The Commission shall have the following functions:

(a) Analyse, from a political and technical standpoint, the progress made and the difficulties encountered in applying and executing the Implementation, Compliance and Verification Timetable for the Peace Agreements;

(b) Give prior consideration to the legislative proposals agreed to in the Peace Agreements and to be drafted by the executive branch pursuant to those Agreements, to help ensure that they are in keeping with the content of the Peace Agreements;

(c) Maintain communication, through the Peace Secretariat, with government bodies that have responsibilities in the areas of work identified in the Timetable, in order to stay abreast of progress in those areas;

(d) Schedule and reschedule targets and actions according to the need to comply with the Timetable and to ensure the effective functioning of the peace process;

(e) Maintain communication with and receive reports from the international verification authority;

(f) Provide support for efforts to obtain funding for the implementation of the commitments set out in the Peace Agreements; and

(g) Prepare and issue periodic reports on the progress made and the difficulties encountered in complying with the Timetable and the Peace Agreements and in carrying out the work entrusted to it.

Working methods

194. The Commission shall hold regular meetings, take its decisions by consensus, and draw up its rules of procedure within the 30 days following its establishment.

195. Once a year, its members shall make an evaluation of its work with a view to proposing whatever changes they deem necessary to derive the greatest benefit from the functioning of the Commission to Follow up the Implementation of the Peace Agreements.

VI. INTERNATIONAL VERIFICATION

196. The Parties agree that international verification is essential for achieving greater certainty in the implementation of the Agreements signed and for strengthening confidence in the consolidation of peace.

197. In keeping with the Framework Agreement for the Resumption of the Negotiating Process of 10 January 1994 and the requests made in all the agreements signed since then, the Parties request the Secretary-General of the United Nations to set up a mission to verify the agreements included in the Agreement on a Firm and Lasting Peace (hereinafter referred to as "the Mission"), with the following characteristics.

Human rights

198. The present United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA), with its own functions and powers, shall be a component of the mission mentioned in the preceding paragraph.

Functions

199. The functions of the mission shall include:

(a) Verification

(i) On the basis of the Timetable set out in this Agreement and of any changes thereto which the Parties may agree to make in the future, to verify fulfilment of all the commitments made in the Agreement on a Firm and Lasting Peace;

(ii) To evaluate the implementation and progress of programmes and projects arising out of the Agreements, in terms of fulfilment of the commitments made;

(iii) On the basis of its verification activities, to make the necessary recommendations, at the appropriate moment, for avoiding or rectifying any instance of non-compliance;

(iv) To report regularly to the Secretary-General of the United Nations and, through him, to the States Members of the United Nations on the progress of compliance with the Agreements;

(b) Good offices

(v) To assist, particularly through the Follow-up Commission, in resolving any difficulties that may arise in the implementation of the Peace Agreements, including differences between the Parties as to the interpretation of the Agreements signed and any other differences that may impede their implementation;

(c) Advisory services

(vi) At the request of either Party, to provide such advice and technical support on specific issues as may be necessary to facilitate compliance with the commitments made. With the consent of the Parties, to also provide, on request, advice and technical support on specific issues to other bodies involved in the implementation of the Peace Agreements;

(d) Public information

(vii) To keep public opinion informed about the implementation of the Peace Agreements, including the results of verification and the mission's activities.

Powers

200. In order to perform the above functions, the mission may establish itself and move freely throughout the national territory, interview any person or entity freely and privately, and obtain whatever information may be relevant.

Duration and structure

201. The Parties request that the mission's mandate be for the same duration as the Implementation, Compliance and Verification Timetable for the Peace Agreements, namely, four years, and that it be adjusted to the tasks arising out of that Timetable.

202. The mission shall have such international and national officials and experts as are appropriate and necessary for the performance of its functions. It may obtain assistance and cooperation from international organizations whose mandate is relevant to the matters covered by the Peace Agreements.

Cooperation

203. The Government of Guatemala and URNG undertake to help the mission to verify their respective commitments.

204. The Government undertakes to extend whatever cooperation the mission requires for the performance of its functions.

VII. FINAL PROVISIONS

First. This Agreement shall form part of the Agreement on a Firm and Lasting Peace and shall enter into force when the latter is signed.

Second. In accordance with the Framework Agreement signed on 10 January 1994, the Secretary-General of the United Nations is requested to verify this Agreement.

Third. This Agreement shall be widely publicized.

Guatemala City, 29 December 1996.

For the Government of Guatemala:

(Signed) Gustavo PORRAS CASTEJÓN

(Signed) Richard AITKENHEAD CASTILLO

(Signed) Raquel ZELAYA ROSALES

(Signed) Otto PÉREZ MOLINA
Brigadier General

For the Unidad Revolucionaria National Guatemalteca:

(Signed) Jorge E. ROSAL MELÉNDEZ

(Signed) Ricardo RAMÍREZ DE LEÓN
(Commander Rolando MORÁN)

(Signed) Jorge Ismael SOTO GARCÍA
(Commander Pablo MONSANTO)

(Signed) Ricardo ROSALES ROMÁN
(Carlos GONZÁLES)

For the United Nations:

(Signed) Jean ARNAULT

Appendix

PROGRAMMING OF INDICATIVE MINIMUM TARGETS 1997-2000

Concepts	Base year	1997	1998	1999	2000	Minimum targets
Economic behaviour:						
Real annual growth rate of GDP (percentage)		4.2	5.1	6.0	6.0	6.0
Nominal GDP (millions of quetzales)	85 880.3	115 654.0	136 841.8	161 453.2	192 720.5	
Nominal GDP (millions of US$)	14 783.0	17 792.9	21 123.8	22 739.9	25 696.1	
Tax burden						
Tax burden/GDP (percentage)	7.6	8.6	10.0	11.4	12.0	
Percentage increase over base year		13.2	31.6	50.0	57.9	50.0
Budget targets (percentage increases over base year)						
Health	750.4[a]	15.0	25.0	35.0	50.0	50.0
Education	1 411.9[a]	15.0	30.0	40.0	50.0	50.0
Public security	289.1[a]	14.0	30.0	40.0	50.0	50.0
Judiciary and Public Prosecutor's office	150.8[a]	12.0	30.0	40.0	50.0	50.0
Guatemalan armed forces	842.8[a]	-11.0	-22.0	-33.0	-33.0	-33.0

[a] Millions of quetzales.

ANNEX II

Agreement on a firm and lasting peace

Whereas:

The signing of this Agreement puts an end to more than three decades of armed conflict in Guatemala and thus to a painful era in our history,

In recent years, the search for a political solution to the armed conflict has created new opportunities for dialogue and understanding within Guatemalan society,

The country now faces the task, in which all Guatemalans must share, of preserving and consolidating peace,

To this end, the Peace Agreements provide the country with a comprehensive agenda for overcoming the root causes of the conflict and laying the foundations for a new kind of development,

Compliance with these Agreements is an historic, unavoidable commitment,

Present and future generations must be made aware of the full implications of the peace commitments,

The Government of the Republic of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG) have agreed as follows:

I. CONCEPTS

1. The Peace Agreements reflect a national consensus. They have been endorsed by the various sectors represented in the Assembly of Civil Society and outside it. Their progressive implementation must fulfil the legitimate aspirations of Guatemalans and, at the same time, unite the efforts of all behind these common objectives.

2. The Government of the Republic reaffirms its adherence to the principles and norms aimed at guaranteeing and protecting full respect for human rights, and its political determination to enforce them.

3. Population groups uprooted by the armed conflict have the right to reside and live freely in Guatemalan territory. The Government of the Republic undertakes to ensure their return and resettlement in conditions of dignity and security.

4. The Guatemalan people are entitled to know the full truth about the human rights violations and acts of violence that occurred in the context of the internal armed conflict. Shedding light objectively and impartially on what happened will contribute to the process of national reconciliation and democratization in the country.

/...

5. Recognition of the identity and rights of indigenous peoples is essential for building a multi-ethnic, multicultural and multilingual country of national unity. Respect for and the exercise of the political, cultural, economic and spiritual rights of all Guatemalans is the foundation for a new coexistence reflecting the diversity of their nation.

6. Firm and lasting peace must be based on participatory socio-economic development that is geared to the common good and to the needs of the entire population. Such development requires social justice, as one of the cornerstones of national unity and solidarity, and sustainable economic growth as a prerequisite for meeting the population's social demands.

7. The genuine participation of citizens - both men and women - from all sectors of society is essential for achieving social justice and economic growth. The State must broaden these opportunities for participation and strengthen its own role as guiding force of national development, lawmaker, source of public investment, provider of basic services and promoter of social consensus and settlement of disputes. To that end, it must raise fiscal revenues and, as a matter of priority, channel public spending towards social investment.

8. In the search for growth, economic policy must be directed towards preventing processes of economic exclusion, such as unemployment and impoverishment, and towards optimizing the benefits of economic growth for all Guatemalans. Raising the standard of living and ensuring health care, education, social security and training for Guatemalans are preconditions for achieving sustainable development in Guatemala.

9. The State and organized sectors of society must join forces to find a solution to agrarian problems and promote rural development, both of which are the key to improving the situation of the majority of the population living in rural areas - the population group most seriously affected by poverty, inequity and the weakness of State institutions.

10. The strengthening of civilian power is an essential prerequisite for the existence of a democratic regime. The ending of the armed conflict affords an historic opportunity to renew the country's institutions so that, working in coordination, they can guarantee Guatemalans the rights to life, liberty, justice, security, peace and the full development of the individual. The Guatemalan armed forces must adjust their functions to the new era of peace and democracy.

11. The legal integration of URNG, in conditions of security and dignity, is in the national interest and is directly related to the objective of reconciliation and the consolidation of a democratic system open to all.

12. The constitutional reforms set out in the Peace Agreements provide the fundamental substantive basis for the reconciliation of Guatemalan society within the framework of the rule of law, democratic coexistence and the full observance of and strict respect for human rights.

13. Elections are essential for Guatemala's current transition to a functional, participatory democracy. Improving the electoral regime will help to strengthen the legitimacy of public authority and facilitate the country's democratic transformation.

14. The implementation of the national agenda arising out of the Peace Agreements is a complex, long-term undertaking requiring the determination to fulfil the commitments made and the involvement of State bodies and of the country's various social and political forces. This undertaking calls for a strategy that sets realistic priorities for the gradual fulfilment of commitments, thereby ushering in a new chapter in Guatemala's history - one of development and democratic coexistence.

II. ENTRY INTO FORCE OF THE PEACE AGREEMENTS

15. All agreements signed on the basis of the Framework Agreement on Democratization in the Search for Peace by Political Means, signed at Querétaro, Mexico, on 25 July 1991, and those concluded since the Framework Agreement for the Resumption of the Negotiating Process, signed at Mexico City on 10 January 1994, are hereby incorporated into this Agreement on a Firm and Lasting Peace. Those agreements are:

(a) The Comprehensive Agreement on Human Rights, signed at Mexico City on 19 March 1994;

(b) The Agreement on Resettlement of the Population Groups Uprooted by the Armed Conflict, signed at Oslo on 17 June 1994;

(c) The Agreement on the Establishment of the Commission to Clarify Past Human Rights Violations and Acts of Violence that Have Caused the Guatemalan Population to Suffer, signed at Oslo on 23 June 1994;

(d) The Agreement on Identity and Rights of Indigenous Peoples, signed at Mexico City on 31 March 1995;

(e) The Agreement on Social and Economic Aspects and the Agrarian Situation, signed at Mexico City on 6 May 1996;

(f) The Agreement on the Strengthening of Civilian Power and on the Role of the Armed Forces in a Democratic Society, signed at Mexico City on 19 September 1996;

(g) The Agreement on the Definitive Ceasefire, signed at Oslo on 4 December 1996;

(h) The Agreement on Constitutional Reforms and the Electoral Regime, signed at Stockholm on 7 December 1996;

(i) The Agreement on the Basis for the Legal Integration of URNG, signed at Madrid on 12 December 1996;

(j) The Agreement on the Implementation, Compliance and Verification Timetable for the Peace Agreements, signed at Guatemala City on 29 December 1996.

16. With the exception of the Comprehensive Agreement on Human Rights, which has been in force since it was signed, all the agreements incorporated into the Agreement on a Firm and Lasting Peace shall enter into force formally and in full when the present Agreement is signed.

III. EXPRESSION OF GRATITUDE

17. Upon completion of the historic negotiating process in the search for peace by political means, the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca wish to place on record their gratitude for the national and international efforts that have contributed to the conclusion of the Agreement on a Firm and Lasting Peace. They emphasize the role played by the National Reconciliation Commission, the Conciliation, the Assembly of Civil Society and United Nations Moderation. They also express appreciation for the support provided by the Group of Friends of the Guatemalan Peace Process, consisting of the Republic of Colombia, the United Mexican States, the Kingdom of Norway, the Kingdom of Spain, the United States of America and the Republic of Venezuela.

IV. FINAL PROVISIONS

First. The Agreement on a Firm and Lasting Peace shall enter into force when it is signed.

Second. This Agreement shall be widely publicized, especially through formal education programmes.

Guatemala City, 29 December 1996.

For the Government of Guatemala:

(Signed) Gustavo PORRAS CASTEJÓN

(Signed) Otto PÉREZ-MOLINA
Brigadier-General

(Signed) Raquel ZELAYA ROSALES

(Signed) Richard AITKENHEAD CASTILLO

For the Unidad Revolucionaria Nacional Guatemalteca:

(Signed) Ricardo RAMÍREZ DE LEÓN
(Commander Rolando MORÁN)

(Signed) Jorge Ismael SOTO GARCÍA
(Commander Pablo MONSANTO)

(Signed) Ricardo ROSALES ROMÁN
(Carlos GONZÁLES)

(Signed) Jorge Edilberto ROSAL MELÉNDEZ

For the United Nations:

(Signed) Boutros BOUTROS-GHALI